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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/858,328	05/15/2001	Robert Vogel	18360/215625	3579

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EXAMINER

POPHAM, JEFFREY D

ART UNIT PAPER NUMBER

2137

DATE MAILED: 08/10/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/858,328

Applicant(s)

VOGEL ET AL.

Examiner

Jeffrey D. Popham

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 20 May 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-35 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-35 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 15 May 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

Remarks

Claims 1-35 are pending.

Response to Arguments

1. Applicant's arguments with respect to claims 1-32 have been considered but are moot in view of the new ground(s) of rejection.

Claim Objections

2. Claim 32 is objected to under 37 CFR 1.75 (a) because of the following informality:

- Lines 6-7 recite the limitation "the physical address associated with said Third Party". There is insufficient antecedent basis for this limitation in the claim. For purposes of prior art rejection, it has been construed as "a physical address associated with said Third Party".

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1-4, 7-11, and 34 are rejected under 35 U.S.C. 103(a) as being unpatentable over Chaganti (U.S. Patent 6,845,448) in view of Walker (U.S. Patent 5,884,272).

Regarding Claim 1,

Chaganti discloses a method for authorizing the transfer of various types of information within a group of parties, the parties including a first party, a second party, and a third party, the first party holding first party information, and the third party having an interest in third party information held by the second party, the method including the following steps:

Facilitating a request from the first party to the second party, the request being to allow the first party to access the third party information held by the second party (Column 11, lines 10-23; and Column 12, lines 10-20);

Facilitating the forwarding of an authorization code authorized by the second party from the second party to the third party (Column 9, line 49 to Column 10, line 8);

Facilitating authorization of the first party's request by the third party by the transfer of the authorization code from the third party to the first party (Column 10, lines 43-58); and

Facilitation of the presentation of the authorization code from the first party to the second party, such that the first party is authorized to

obtain the third party information from the second party (Column 11, lines 23-29),

But does not disclose the forwarding of the first party's request from the second party to the third party.

Walker, however, discloses forwarding the first party's request from the second party to the third party (Column 17, lines 16-21). It would have been obvious to one of ordinary skill in the art at the time of applicant's invention to incorporate the user-controlled anonymous communications system of Walker into the personal information repository of Chaganti in order to allow the release of information about the third party to the first party without the necessity of revealing the identity of either party (Column 4, lines 19-27).

Regarding Claim 34,

Claim 34 is a method claim that corresponds to method claim 1 and is rejected for the same reasons. The only difference between claim 1 and claim 34 is that, in claim 34, the second party generates the authorization code, instead of just authorizing it. This generation of the authorization code is within the cited portion of Chaganti.

Regarding Claim 2,

Walker discloses allowing the first party (company) to designate a related internal party (company representative) to receive the authorization code from the third party (Column 23, lines 22-59).

Regarding Claim 3,

Chaganti discloses that the access to at least a portion of the third party information can be later withdrawn (Column 9, line 49 to Column 10, line 8).

Regarding Claim 4,

Chaganti discloses facilitating reporting by the second party to the third party as to who has access to the third party information and their access status (Column 7, lines 42-50).

Regarding Claim 7,

Chaganti discloses that the third party information relates to medical records (Column 6, line 64 to Column 7, line 41).

Regarding Claim 8,

Chaganti discloses that the third party information relates to credit information (Column 6, line 64 to Column 7, line 41).

Regarding Claim 9,

Chaganti discloses that the third party is a person and the third party information relates to information personal to the third party (Column 6, line 64 to Column 7, line 41).

Regarding Claim 11,

Walker discloses that the first party and the third party are different entities within an overall commonly-controlled company (Column 23, lines 22-59).

Regarding Claim 10,

Claim 10 is a method claim that is broader than narrower claim 11 and is rejected for the same reasons.

4. Claims 5 and 6 are rejected under 35 U.S.C. 103(a) as being unpatentable over Chaganti in view of Walker, further in view of UPS OnLine Tracking (UPS, "UPS OnLine Tracking Information", version 1.3, 5/18/1998, pp. 1-4, obtained from http://web.archive.org/web/19980518023040/ups.com/using/software/online/oltrack_info.html).

Regarding Claim 5,

Chaganti as modified by Walker does not disclose that the third party information relates to parcel delivery.

UPS OnLine Tracking discloses that the third party information relates to parcel delivery (Pages 1-3). It would have been obvious to one of ordinary skill in the art at the time of applicant's invention to incorporate the tracking system of UPS OnLine Tracking into the personal information repository of Chaganti as modified by Walker in order to allow the first party to access up-to-the minute information regarding shipments from the third party.

Regarding Claim 6,

Chaganti as modified by Walker does not disclose the third party information relates to parcel delivery and includes "delivery name and address" and "reference number".

UPS OnLine Tracking discloses that the third party information relates to parcel delivery and includes "delivery name and address" and "reference number" (Page 2, Printing a Proof of Delivery section).

5. Claims 12, 13, 16-23, and 26-32 are rejected under 35 U.S.C. 103(a) as being unpatentable over Chaganti in view of Walker, further in view of Henriksson (Henriksson et al., "Security vs. Plug-and-Play for Operation and Maintenance, 05/2000, pp. 9-14, obtained from <http://epubl.luth.se/1402-1617/2000/139/LTU-EX-00139-SE.pdf>).

Regarding Claim 12,

Claim 12 corresponds to claim 1, with the additional limitation of transferring the authorization code from the third party to the first party via hand delivery to a physical address associated with the third party, which is not disclosed in Chaganti as modified by Walker.

Henriksson, however, discloses transferring a key that must be kept confidential from one party to another party via hand delivery to a physical address associated with the parties (Page 10, section 3.1.1; and Pages 13-14, section 3.1.4). It would have been obvious to one of ordinary skill in the art at the time of applicant's invention to incorporate the key distribution methods of Henriksson into the personal information repository

of Chaganti as modified by Walker in order to keep the authorization code secure from other parties, thus preventing the other parties from illegitimately accessing information.

Regarding Claim 13,

Walker discloses allowing the first party (company) to designate a related internal party (company representative) to receive the authorization code from the third party (Column 23, lines 22-59).

Regarding Claim 16,

Chaganti discloses that the third party information relates to medical records (Column 6, line 64 to Column 7, line 41).

Regarding Claim 17,

Chaganti discloses that the third party information relates to credit information (Column 6, line 64 to Column 7, line 41).

Regarding Claim 18,

Chaganti discloses that the third party is a person and the third party information relates to information personal to the third party (Column 6, line 64 to Column 7, line 41).

Regarding Claim 20,

Walker discloses that the first party and the third party are different entities within an overall commonly-controlled company (Column 23, lines 22-59).

Regarding Claim 19,

Claim 19 is a method claim that is broader than narrower claim 20 and is rejected for the same reasons.

Regarding Claim 21,

Claim 21 corresponds to claim 1, with the additional limitations of facilitating the identification by the second party of a physical address associated with the third party (Chaganti, Column 6, line 64 to Column 7, line 41), and transferring the request and authorization code from the second party to the third party via hand delivery to a physical address associated with the third party, which is not taught by Chaganti as modified by Walker.

Henriksson, however, discloses transferring a key that must be kept confidential from one party to another party via hand delivery to a physical address associated with the parties (Page 10, section 3.1.1; and Pages 13-14, section 3.1.4). It would have been obvious to one of ordinary skill in the art at the time of applicant's invention to incorporate the key distribution methods of Henriksson into the personal information repository of Chaganti as modified by Walker in order to keep the authorization code secure from other parties, thus preventing the other parties from illegitimately accessing information.

Regarding Claim 22,

Henriksson discloses that the forwarding being done via hand delivery to the physical address associated with the party is provided by

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First Class Mail (sending a recommended letter through the post office)
(Pages 13-14, Section 3.1.4).

Regarding Claim 23,

Walker discloses allowing the first party (company) to designate a related internal party (company representative) to receive the authorization code from the third party (Column 23, lines 22-59).

Regarding Claim 26,

Chaganti discloses that the third party information relates to medical records (Column 6, line 64 to Column 7, line 41).

Regarding Claim 27,

Chaganti discloses that the third party information relates to credit information (Column 6, line 64 to Column 7, line 41).

Regarding Claim 28,

Chaganti discloses that the third party is a person and the third party information relates to information personal to the third party (Column 6, line 64 to Column 7, line 41).

Regarding Claim 30,

Walker discloses that the first party and the third party are different entities within an overall commonly-controlled company (Column 23, lines 22-59).

Regarding Claim 29,

Claim 29 is a method claim that is broader than narrower claim 30 and is rejected for the same reasons.

Regarding Claim 32,

Chaganti discloses a method of authorizing the transfer of various types of information within a group of parties, the parties including a first party, a second party, and a third party, the first party holding first party information, and the third party having an interest in third party information held by the second party, the method including the following steps:

Facilitating the identification by the second party of a physical address associated with the third party (Column 6, line 64 to Column 7, line 41);

Facilitating a request from the first party to the second party, the request being to allow the first party to access the third party information held by the second party (Column 11, lines 10-23; and Column 12, lines 10-20);

Facilitating the forwarding of an authorization code authorized by the second party from the second party to the third party (Column 9, line 49 to Column 10, line 8);

Facilitating authorization of the first party's request by the third party by the transfer of the authorization code from the third party to the first party (Column 10, lines 43-58); and

Facilitation of the presentation of the authorization code from the first party to the second party, such that the first party is authorized to obtain the third party information from the second party (Column 11, lines 23-29);

But does not disclose that the request from the first party is accompanied by the first party information or that the forwarding is done via hand delivery to the physical address associated with the third party.

Walker, however, discloses forwarding the first party's request from the second party to the third party (Column 17, lines 16-21), accompanied by the first party information (Column 17, lines 36-49). It would have been obvious to one of ordinary skill in the art at the time of applicant's invention to incorporate the user-controlled anonymous communications system of Walker into the personal information repository of Chaganti in order to allow the release of information about the third party to the first party without the necessity of revealing the identity of either party (Column 4, lines 19-27).

Henriksson discloses the forwarding being done via hand delivery to the physical address associated with the third party (Page 10, section 3.1.1; and Pages 13-14, section 3.1.4). It would have been obvious to one of ordinary skill in the art at the time of applicant's invention to incorporate the key distribution methods of Henriksson into the personal information repository of Chaganti as modified by Walker in order to keep the

authorization code secure from other parties, thus preventing the other parties from illegitimately accessing information.

Regarding Claim 31,

Claim 31 is a method claim that is broader than narrower claim 32 and is rejected for the same reasons.

6. Claims 14, 15, 24, and 25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Chaganti in view of Walker and Henriksson, further in view of UPS OnLine Tracking.

Regarding Claim 14,

Chaganti as modified by Walker and Henriksson does not disclose that the third party information relates to parcel delivery.

UPS OnLine Tracking discloses that the third party information relates to parcel delivery (Pages 1-3). It would have been obvious to one of ordinary skill in the art at the time of applicant's invention to incorporate the tracking system of UPS OnLine Tracking into the personal information repository of Chaganti as modified by Walker in order to allow the first party to access up-to-the minute information regarding shipments from the third party.

Regarding Claim 15,

Chaganti as modified by Walker and Henriksson does not disclose the third party information relates to parcel delivery and includes "delivery name and address" and "reference number".

UPS OnLine Tracking discloses that the third party information relates to parcel delivery and includes "delivery name and address" and "reference number" (Page 2, Printing a Proof of Delivery section).

Regarding Claim 24,

Chaganti as modified by Walker and Henriksson does not disclose that the third party information relates to parcel delivery.

UPS OnLine Tracking discloses that the third party information relates to parcel delivery (Pages 1-3). It would have been obvious to one of ordinary skill in the art at the time of applicant's invention to incorporate the tracking system of UPS OnLine Tracking into the personal information repository of Chaganti as modified by Walker in order to allow the first party to access up-to-the minute information regarding shipments from the third party.

Regarding Claim 25,

Chaganti as modified by Walker and Henriksson does not disclose the third party information relates to parcel delivery and includes "delivery name and address" and "reference number".

UPS OnLine Tracking discloses that the third party information relates to parcel delivery and includes "delivery name and address" and "reference number" (Page 2, Printing a Proof of Delivery section).

7. Claims 33 and 35 are rejected under 35 U.S.C. 103(a) as being unpatentable over Chaganti in view PoA (Parsons Technology Inc. "Power of Attorney", 9/9/1998, pp. 1-5, obtained from <http://web.archive.org/web/19991012123139/http://lectlaw.com/files/qfl04.htm>).

Regarding Claim 33,

Claim 33 corresponds to claim 1, with the additional limitation of a third party designee, which is independent of the second party having the authority to act on behalf of the third party, which is not disclosed within Chaganti as modified by Walker.

PoA, however, discloses a third party designee, which is independent of the second party, and having the authority to act on behalf of the third party (Pages 1-2). It would have been obvious to one of ordinary skill in the art at the time of applicant's invention to incorporate the power of attorney of PoA in to the personal information repository of Chaganti in order to allow the third party to be represented by another during situations such as when the third party is traveling.

Regarding Claim 35,

Claim 35 is a method claim that corresponds to method claim 33 and is rejected for the same reasons. The only difference between claim 33 and claim 35 is that, in claim 35, the second party generates the authorization code, instead of just authorizing it. This generation of the authorization code is within the cited portion of Chaganti.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jeffrey D. Popham whose telephone number is (571)-272-7215. The examiner can normally be reached on M-F 9:00-5:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Emmanuel Moise can be reached on (571)272-3865. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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